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14. ABSTRACT
International entities refer to Kenya as a success story for the African continent, particularly in the tumultuous East African region, regarding political practices and democratic principles. However, conflicting national conditions, ranging from a model of democracy and political maturity to a powder keg of violence and dissent, leads to skepticism regarding Kenya's stability. Despite the turmoil, the May 2010 United States National Security Strategy, names Nigeria and Kenya "key states" and "essential subregional linchpins." Democracies are not predominant throughout Africa, but rather they exist sporadically, and tenuously. The task of this paper will be to determine if, based on established criteria, Kenya represents one such sporadic incident of democracy, stable enough to be regarded an enduring model of African democracy, specifically, a "City upon a Hill" for East Africa.

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MASTER OF MILITARY STUDIES

TITLE

KENYA

The Myth of East Africa's Democratic "City on a Hill"

SUBMITTED IN PARTIAL FULFILLMENT
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Executive Summary

Title: KENYA: The Myth of East Africa's Democratic "City on a Hill"

Author: Major Kelly L. Strong, USAF

Thesis: Kenya does not serve as a model for African democracy and fails to serve as a "City on a Hill" for East Africa.

Discussion: International entities refer to Kenya as a success story for the African continent, particularly in the tumultuous East African region, regarding political practices and democratic principles. However, conflicting national conditions, ranging from a model of democracy and political maturity to a powder keg of violence and dissent, leads to skepticism regarding Kenya's stability. Despite the turmoil, the May 2010 United States *National Security Strategy*, names Nigeria and Kenya "key states" and "essential subregional linchpins." Democracies are not predominant throughout Africa, but rather they exist sporadically, and tenuously. The task of this paper will be to determine if, based on established criteria, Kenya represents one such sporadic incident of democracy, stable enough to be regarded an enduring model of African democracy, specifically, a "City on a Hill" for East Africa.

Conclusion: Labeling Kenya a "regional linchpin" stems from its international reputation as a democracy and its strong economic sector. However, Kenya maintains a façade of democracy to appease international donor governments and trade partners. Kenya does not meet the nominal criteria for a democracy, regardless of international perceptions and reputation. In fact, Kenyans, like most people of East Africa, face a desperate struggle for sustenance and an absence of individual economic potential. This struggle prevents the environmental and social conditions allowing for the exercise of democratic principles and establishment of institutional mechanisms of democracy. One struggles to predict the future for Kenya in light of its failure as a democracy and its failure to serve as a model for East Africa.

DISCLAIMER

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Preface

The 2004 Nobel Peace Prizewinner, Wangari Maathai, in her book, *The Challenge for Africa*, posits, "The condition of Africa is bound to that of the world."[1] Clarence Bouchat, in a 2010 Strategic Studies Institute report states, "The continent of Africa and its people have been a central part of world events since antiquity when northern Africa played a key role in Mediterranean and Middle Eastern affairs."[2] The influence of Africa within the international arena is an inescapable truth. With a global audience, the history of the African continent has unfolded in vignettes ranging from remarkable success to paralyzing struggle. Kenya, with its reputation of democratic ideals and capitalistic economic practices, is of particular interest and speculation among historians, politicians, and economists. Kenya has revealed itself to the world and popular culture through tourism, exotic novels, and extreme violent episodes. However, this view of Kenya does not delve deeply enough into its true condition. The reality is the romanticized and iconic country does not achieve its international reputation and is inadequate as a model for East Africa and African democracy.

INTRODUCTION

Kenya, with its tradition of democratic ideals and capitalistic economic practices, is of

particular interest and speculation among historians, politicians, and economists. These parties

strive to determine whether Kenya's account indicates the potential for democracy to gain a

foothold in Africa even in the midst of regional and continental disorder. International entities

refer to Kenya as a success story for the African continent, particularly in the tumultuous East

African region, regarding political practices and democratic principles. However, this is a

misconception. The thesis of this paper is that Kenya does not serve as a model of African

democracy and fails to serve as a "City on a Hill"[3] for East Africa. First, however, it is important

to establish why this determination warrants investigation and concern.

Post World War II, the process of granting African nations their independence began.

The aim was to free Africa from colonialism and imperialism. In December 1963, Kenya

received its independence. Kenya became a "key player in regional affairs."[4] Its 2002 elections

seemed to vindicate "democracy can flourish in Africa."[5] When the 2007 elections sparked

extreme post-election violence, the international community was blindsided. Conflicting

national conditions, from a model of democracy and seemingly political maturity to a powder

keg of violence and dissent, leads to skepticism regarding Kenya's stability. Despite the turmoil,

the May 2010 United States *National Security Strategy*, names Nigeria and Kenya "key states"

and "essential subregional linchpins."[6]

Sean M. Lynn-Jones, of the Center for Science and International Affairs at Harvard

University, in a discussion paper entitled, "Why the United States Should Spread Democracy,"

states "people generally live better lives under democratic governments."[7] Further, "Compared

to inhabitants of nondemocracies, citizens of democracies enjoy greater individual liberty, political stability, freedom from governmental violence, enhanced quality of life, and a much lower risk of suffering a famine."[8] Additionally, democracy "promotes peace in the international system."[9] Solutions to the condition of the African experience and increased international stability seem to lie in the intentional spread of democratic principles. Democracies are not predominant throughout Africa, but rather they exist sporadically, and tenuously. The task of this paper will be to discuss, based on established criteria, how Kenya fails to represent an incident of African democracy and fails to serve as a model for East Africa. In order to further the discussion, one must establish criteria.

A CRITERIA FOR DEMOCRACY

Lynn-Jones states, "'Democracy' is notoriously difficult to define."[10] This sentiment

echoes throughout literature on the topic. Generating a template to set against characteristics to

classify a nation a democracy is troublesome.

Jean-Jacques Rousseau may best define democracy, "How to find a form of association

which will defend the person and goods of each member with the collective force of all, and

under which each individual, while uniting himself with the others, obeys no one but himself,

and remains as free as before."[11] Joseph Schumpeter presents the following definition, "the

democratic method is an institutional arrangement for arriving at political decisions which

realizes the common good by making the people itself decide issues through the election of

individuals who are to assemble to carry out its will."[12] Some support the simple concept of *one*

man, one vote [emphasis added by author]. Hardly robust, but it may encapsulate the

distinguishing features of democracy. To facilitate determination of whether a state is

democratic, it is necessary to have objective criteria.

An attempt to operationalize the term, proposed by political scientists at the University of

North Carolina at Chapel Hill lists nine criteria. They suggest, "By adopting these nine criteria,

we now have a definition that will allow us to measure democracy."[13] Further, they propose to

measure the degree of a country's democracy with objective, numerical standards and rank

countries on a gradient scale. However, the nine areas are in themselves subjective, and to date,

there is no established numerical guidance on scoring.

A possible definition presented by Sean M. Lynn-Jones describes democracy as three

nominal components and best meets the need for criteria. The definition stems from efforts to

make a distinction between ancient Greek democracy and modern democracy. Classical

Athenian democracy relied more on the full participation of all citizens, with a strong sense of

community. Modern democracy in contrast, "relies on elected representatives and tends to draw

a distinction between public and private spheres, thereby eroding the bonds of community and

fostering individualism." [14] This is the United States democratic model aligning democracy with

the concept of basic civil rights and freedoms. The nominal components of Lynn-Jones'

definition are: (1) existence of institutional mechanisms, usually elections, that allow the people

to choose their leaders, (2) prospective leaders compete for their public support, and (3) the

government's power is restrained by its accountability to the people.[15] These components will

form a framework to facilitate analysis of Kenya's system.

There are those who caution against judging democracies with a universal ideal, or

doctrine. Alfred G. Nhema, editor of *The Quest for Peace in Africa*, warns, "There is a widely

held sentiment in Africa that a global doctrinaire prescribed democratic framework is neither

realistic nor proper as it masks the real variations among the countries under scrutiny."[16] As

Nhema suggests, Kenya's narrative and its national characteristics individualize Kenya's

political system. The methodology of this paper reflects this sentiment, while examining the

three components of the definition.

This paper will trace the origins of Kenya's political system and the emergence of

democratic characteristics, discuss Kenya's present-day political system, and provide analysis of

Kenya's status as a democracy and potential to serve as the proverbial "City on a Hill" for East

Africa. First, an assessment of the emergence of pseudo-democratic principles, revealed through

the background of Kenya's history.

EMERGENCE OF PSUEDO-DEMOCRATIC PRINCIPLES IN KENYA

At the end of World War II, "African political awareness grew, and dissatisfaction with the social, political, and economic order intensified."[17] Dissatisfaction stemmed from an exclusive British-led government and the inherent inequality and lack of representation for Africans. It gave rise to the emergence of the Mau Mau's and culminated in the Mau Mau Emergency of 1952.

The Mau Mau's were a "secret society"[18] of Africans, mainly majority culture Kikuyu, who rallied around land reform and a common desire to rise up against colonial oppression and purge Kenya of its European occupation.[19] Although the Mau Mau movement began minimally with arson and cattle maiming, the October 1952 assassination of prominent British loyalist[20] Senior Chief Kungu Waruhiu drew a swift and severe reaction from British authorities.[21] The government declared a State of Emergency, arrested Jomo Kenyatta and other prominent political leaders, and requested British troops.[22] Jomo Kenyatta had risen to the forefront, as early as 1920, as a champion of Kenya's political movement against oppression and colonial domination. At the time of the Mau Mau uprising, he was the leader of the Kenyan African Union (KAU). The KAU formed to campaign for African independence in 1944.[23] Along with Kenyatta, five other KAU leaders faced trial in November of 1952. At trial's end in April 1953, Kenyatta and the others charged with management of the Mau Maus faced seven years of imprisonment at hard labor.[24] The guilty outcome of the trial linked the KAU to the Mau Maus, but KAU activities continued until mid-1953, when authorities banned it and all African political associations.[25]

Although the Mau Mau Emergency did not immediately affect African independence and representation, it brought national attention to the disparate government representation issue and

imbalance of economic power through inequitable land ownership and access to means of economic prosperity. In the years following the uprising, reform came in waves culminating with the Macleod Constitution.

The Macleod Constitution was the outcome of a conference in early 1960, which provided for an African majority in a 65-member Legislative Council.[26] However, this conference was not without controversy. The conference opened with a statement of Britain's intention to grant independence within a short time. The announcement caught attendees by surprise. Some European representatives protested, viewing this as a "death blow to Kenya's European community."[27] African attendees quarreled over how to distribute representation to each ethnic group. This dispute led to the formation of two major African political parties, the Kenya African Democratic Union (KADU), and the Kenya African National Union (KANU).[28] The KADU sprang from minor cultural groups striving to ensure their representation over the majority Kikuyu and Luo ethnic camps represented in the KANU.[29] The KANU was a reorganized KAU.

The multi-party system was an inroad toward democratic practices. Nevertheless, disparate cultural representation and internal conflict overshadowed democratic paradigms as Africans gained governmental control.

In May 1960, the KANU nominated Jomo Kenyatta as president. The government disallowed this as Kenyatta was still under house arrest. The KANU party leveraged Kenyatta's release in the February 1961 election to unify the disparate African parties and through pressure of a government stalemate, secured Kenyatta's release in August 1961.[30] In the months prior to the 1963 general election, bargaining between colonial officials, European farmers, and Kenyan officials ensued. As colonial dominance gave way to African rule, land ownership,

governmental administration, and the economic infrastructure were of great concern to all parties. With assurances of a "capitalistic, free-enterprise, private property system," the British government and the settlers agreed to hand over the "apparatus of government."[31] Indirectly, the British had turned over power to Kenyatta. His "broad support and adroitness at 'informal' politics gave him the wherewithal to direct the system in any way he chose."[32] Following contested elections, Kenya attained "internal self-government."[33] Jomo Kenyatta, KANU's president, became Prime Minister and assembled a symbolic multi-racial cabinet. On December 12, 1963, Kenya achieved independence with the lowering of the Union Jack, and the raising of the flag of Kenya.[34]

Jomo Kenyatta and Oginga Odinga, President and Vice President, of the newly founded Kenyan state, faced immediate strife. Somali guerillas in the north, Army rebellion in Nairobi, and a rising of communist sympathizers assailed the government with complex and taxing issues.[35] Odinga himself led the rallying cry to communism, stating publicly, "Communism is like food to me."[36] Odinga and dissenters to Kenyatta and the KANU's ideology and governmental style began to rally an opposition force. With growing fear of this emerging threat to his regime, Kenyatta maneuvered the political and legal system to ensure his regime's security. Kenyatta's questionable tactics resulted in the suppression of all opposition to the KANU and a purging, through arrest and discrediting, of his dissenters from the political mechanism.[37] What began in 1963 as a multi-racial, multi-representative democratic government effectively reduced to a "*de facto* one party state."[38]

Although Kenyatta serves as an indisputable example of "master politician and tactician," he suffered from a "lack of ideology and philosophical intent." [39] Kenya would endure the legacy of Kenyatta's paranoid avoidance of international and Pan-African issues and his centralized

control. Capitalism and economic growth were Kenyatta's focal points. Kenya's rate of economic growth was among the best on the African continent during Kenyatta's presidency.[40] This growth was "heavily dependent on a limited range of primary commodity exports and highly vulnerable to fluctuations in world commodity prices."[41] Kenyatta's family and cronies were the primary benefactors of this growth. Tribal loyalty and cronyism ensured his continued power base, leading to social and economic prominence. Although criticized for being "unbending and ruthless" and lacking a "social philosophy,"[42] Kenyatta was able to stabilize Kenya's political system throughout the 1960s. Alas, it was through squelching opposition and deviating from the platform of egalitarian ideals espoused during his election campaign.[43]

This stability proved tenuous with the assassination of Tom Mboya in July 1969. Mboya had emerged as a national politician appealing for unity across ethnic lines and "serving as a linchpin between factions."[44] His assassination opened a Pandora's Box of dissent to Kenyatta, the KANU, and the Kikuyu dominance of Kenya's political, economic, and social composition. Although re-elected in 1974, "criticism of Kenyatta's modus operandi, the nepotism, favoritism, and in-group corruption became more open"[45] as the country faced economic stress as a result of international oil-based recession and drought. Suspicion surrounding the investigation of Mboya's assassination fueled the dissent. Kenyatta resorted to his heavy-handed tactics to quell the rising opposition. Kenyatta's own words at a speech given during this turbulent time best summarizes his approach to turmoil, "The hawk is in the sky. It is ready to descend on chickens who stray from the pathway."[46] Upon his death from natural causes on August 23, 1978, Kenyatta and his regime received both accolades and censure. In spite of the differing assessments, "the regime was to be congratulated as one of the most stable in Africa,"[47] although at the expense of democratic practices.

Vice President Daniel Arap Moi took office upon Kenyatta's death and although he advanced a platform of reform, the hardship of continued economic strife and requisite austerity measures led him down the autocratic path of his predecessor.[48] Upholding much of the centralized control Kenyatta had demonstrated Moi resisted significant reform until 1991, when he "reluctantly and under pressure agreed to move to multi-party politics."[49] This pressure included national opposition groups and donor governments. In the elections of 1992 and 1997, Moi and the KANU won by small margins against opponents. Although a multi-party system existed, it did not have the rallying strength to defeat the incumbents. However, in 2002, the unified resistance party NARC, National Rainbow Coalition, ousted the KANU, with opposition leader, Mwai Kibaki, elected president on a platform of constitutional reform, unification, and promised egalitarian representation. Although considered "the most credible since independence,"[50] the election was not free from vote-rigging and finger pointing. Regardless of possible conniving to gain election, Kibaki's cabinet selection made clear his intent to balance his own political agenda with ethnic factors, technical skills, government experience, and reward old and new political allies.[51] In spite of the allegations regarding the fidelity of the 2002 elections, Kenya earned a reputation in the international arena as an African democracy.

President Kibaki faced long-standing "ethnic cleavages,"[52] threatening his own party and promised constitutional reform. Further, the new government inherited significant problems: "sluggish agricultural based economy, rundown infrastructure, poverty rates exceeding 50 percent, endemic corruption, spiraling crime, and the burgeoning threat of disease."[53] Terrorist activities, accusations of government-sanctioned corruption, and lack of criminal action against cronies and government officials led to donor governments, including the United States, Germany, and the Netherlands to cut back on aid and issue travel advisories.[54] The United

Kingdom's and other international investors' interest waned. Conditions reached its worst in

January 2006, when estimates show 2.5 million Kenyans faced starvation.[55] In addition,

neighboring countries' internal issues spilled over the border and refugee camps strained an

already precarious situation. In 2007, as the elections drew near, Kenyans faced individual and

national concerns, setting the stage for passionate civilian and governmental participation. In

truth, the "roots" of the crisis to come were "long and old."[56]

On December 27, 2007, Kenyans participated in an election between incumbent President

Mwai Kibaki and opposition candidate Raila Odinga. On the surface, the elections, monitored

by the Electoral Commission of Kenya (ECK) appeared legitimate and constitutionally

compliant. However, Kibaki had circumvented the conditions of the constitution by personally

appointing 19 of the 22 commissioners, without garnering constitutionally mandated opposition

consensus.[57] Early forecasts predicted Odinga's victory. When the ECK quickly announced

Kibaki's win, and immediately swore him in as president, despite protests of vote-tallying

offenses by some ECK members and election observers, reaction was swift. Supporters of

Odinga and the opposition "took to the streets in what many observers described as spontaneous

demonstrations of anger and engaged in violent attacks targeting pro-government districts and

properties."[58] Estimates put the death toll at 1,200 and more than 500,000 people forced to leave

their homes in the ensuing violence.[59] The situation grew even more calamitous when the

violence migrated from election reaction to tribal conflicts and ethnic divisions.

Diplomatic intervention, in the form of former United Nations Secretary General Kofi

Annan, began mid-January when an African Union effort at resolution failed.[60] In early

February, an agreement to work together to end the violence was reached between Odinga and

Kibaki. The agreement hinged on the formation of a transitional coalition government, a

mandate to draft a new constitution, a new electoral law, and the establishment of a new independent Electoral Commission.[61] "A negotiated solution put in place a power-sharing deal between the two main parties contesting the presidential election: the Orange Democratic Movement (ODM) and the Party of National Unity (PNU)."[62] Prime Minister Odinga and President Kibaki lead the coalition government. The February 28, 2008 agreement broadcast to the international community Kenya's desire to "move forward and to regain the path towards democracy, peace, and stability."[63]

Kenya bears the scars of a system of "patronage and ethnic share-outs" which slow the country's attempts to trudge forward.[64] The arduous task of a country's development lies in its ability to transform under the groaning weight and tethers of the past. With glimpses of democratic principles throughout Kenya's development, it would seem facile to label Kenya a democracy and move on. However, one cannot overlook the evidence of democracy heavily laced with autocratic and oligarchic tendencies.

From the granting of its independence in 1962, Kenya has maintained a façade of democratic practices. However, historical evidence removes the facade. Institutional mechanisms supporting democratic practices are evident in name only. Elections, constitutional reform, and equitable representation of the people are token gestures made by governmental officials with no manifestation in reality. The enduring dominance of majority tribal groups and oppressive individuals are testament to the lack of open competition for public support. In the absence of viable options for change and reform, Kenyans remain subjected to a fatalistic quagmire of unaccountability and unbridled power.

Judged against the three components of the definition of democracy, the examination of history solidifies the lack of historical precedence of Kenya as a democracy. It is appropriate

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after tracing Kenya's historical development to move forward to a discussion of present-day

Kenya's political system against the nominal criteria to evaluate its status as a democracy.

EVALUATING KENYA AS A DEMOCRACY

In evaluating the veracity of labeling Kenya a democracy, this next portion will present

evidence of the lack of the three nominal components of the definition of democracy proposed

by Lynn-Jones. Those components are: (1) existence of institutional mechanisms, usually

elections, that allow the people to choose their leaders, (2) prospective leaders compete for their

public support, and (3) the government's power is restrained by its accountability to the people.[65]

On February 28, 2008, a coalition government formed after the international community

intervened in the person of Kofi Annan to mediate the decision on Kenya's contested elections.

The conditions of the agreement set up a coalition government with President Kibaki of the PNU

and Prime Minister Odinga of the ODM, with cabinet membership split equally between the two

parties. This was a seemingly satisfactory end to the violence and turmoil of the months

preceding the agreement. However, this power-sharing agreement does not remain immune from

difficulty. In April 2009, Prime Minister Odinga boycotted cabinet meetings after charging

President Kibaki's party was actively circumventing his party's participation.[66] Although Kibaki

had originally run on a platform of anti-corruption, he blocked Odinga's suspension of two

cabinet members after allegations of corruption. "When the leaders are above the law, this

makes a mockery of government and the citizenry have no resources to combat it. The result of

this increased power is tyranny and dictatorship."[67] Regardless, to date, the coalition

government has remained stable.

There are eight political parties in Kenya, along with significant political pressure groups,

religious leaders, and labor unions, which exercise persuasion over governmental matters.[68] In

fact, since its independence, there have been multi-party elections and a parliamentary

government in Kenya. However, there are no elections devoid of accusations of corruption, vote

tampering, or suppression of opposition through tyrannical practices. In light of historical facts and the forecasted dominance of the current leaders in the 2012 elections, it is evident the institutional mechanisms of democracy are not present despite surface appearances to the contrary.

The crux of fair and equal competition for public support among those seeking government offices rests on the condition of the nation's population and their ability to participate in the process. Ndirangu Mwaura describes the fundamental barrier to the establishment and endurance of institutional mechanisms of democracy. He attributes this to a lack of differentiation and real options for reform available to the population due to politicians' myopic self-interest,

> In Kenya, the politicians who emerged after the legalization of multipartyism are not driven by dreams of serving Kenyans, they are driven by avarice. Opposition politicians did not demand multipartyism out of altruism, but opportunism. The opposition parties had nothing in common except the unbridled desire to gain power...the basic problem in Kenya...has not been solved, because the politicians·are from the same mentally colonized elite that took over after the attainment of independence.[69]

"A tradition of democracy can be said to have occurred only when a regime has been installed on the basis of a competitive election, freely and fairly conducted within a matrix of civil liberties, with results accepted by all participants."[70] Kenya has yet to experience such an election. The immediate backlash and violent response after the 2007 elections left no doubt the election did not represent the people's aspirations for the direction and guidance of Kenya, and that equal access to the means of power does not exist. The subsequent need for international intervention to *fix* the problem exposes a lack of institutional tolerance for diverse thought, even under the pressure of violent resistance.

Examination of the second criteria regarding fair and equal competition for public support exposes systemic inertia and status quo politics. At quick glance, Kenya does appear politically diverse, with fully exercised democratic practices and leaders competing for political

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support. Scholars assert this is a false assessment. Richard Dowden, a leading African journalist, encapsulates the enduring legacy of Kenya's tradition and attributes political lethargy to Kenya's political system itself, "the most ethnicized and monetarized of any on the continent."[71] Pierre Englebert, a professor of politics, attributes political inertia to a lack of options in the political system, despite seemingly free elections,

> While there is nothing undemocratic per se about an incumbent being reelected, this level of success suggests a particularly significant pro-government bias in elections. Such a rate of re-election also begs the question of how African governments can expect to be returned to office when they typically fail to provide their populations much in terms of development or other public goods...Africans might have more limited real choice than many others when selecting their governments, for there is a lack of ideological differentiation among political parties.[72]

Graham Harrison, also a professor of politics, attributes political inertia to a more subversive idea. He asserts that true democracy does not exist in Sub-Saharan Africa, that "governance and democracy have become components of the broader conditionality relation between African states and Western agencies."[73] This assertion advocates the notion that if pressure to comply with western standards and conditions waned, an organic, internal political system mirroring the African culture, vice western design, might emerge. Dowden best summarizes the historical pattern of African leadership, "But the chaos is created, organized by the government. Chaos allows it to remain in power."[74] "Public office is often equated with license to abuse and exploit,"[75] Englebert asserts. A chaotic, centralized government emerges as ruling parties squelch the exercise of true democratic principles and practices. Of course, the veneer of democracy ensures the international audience continues donor nation aid and investment.

One might argue the exercise of political choice rests on access to divergent ideas. There is a regionally high 85 percent literacy rate among 15-yrs and older, equally distributed among males and females. Kenyans enjoy access to print media through two publishing houses, Nation and Standard. Free television is nation-wide with a small market for pay television. Radio

remains the primary source of news and events for Kenyans with full-time broadcasts of FM

BBC World Service in Nairobi, Mombasa, and Kisumu. Forty-eight percent of the population,

over 19 million, have mobile cell phones, Internet use is high among the region with an

estimated 3.4 million users.[76] On the surface, Kenyans seem contemporary and connected.

Upon closer inspection, challenges emerge. Twenty-two percent of Kenyans dwell in urban

areas, with the remaining 68 percent existing in rural, sustenance based communities. Only 16

percent of Kenyans have access to grid electricity.[77] Firewood and charcoal account for 68

percent of the national energy supply. This demand and an "intermittent cycle of floods and

droughts"[78] leads to widespread deforestation, de-vegetation, and land degradation,[79] affecting

food supplies. In addition, "Kenya's burgeoning youth population has migrated in large numbers

into urban areas, deepening urban poverty and seeding the explosion of large informal

settlements without access to water, security, and roads."[80] Living under the burden of poverty,

unemployment, displacement, and oppressive social conditions, proverbially referred to as the

"have and have not's", it is no surprise the general population of Kenya is distracted from

political exercise.

One would expect a mass movement demanding change and reform. In fact, holding

government accountable for societal conditions brings the discussion to the third component of

democracy, government restraint, and accountability. Englebert discusses the incredulity at the

lack of the population holding their government accountable for their failure, "Although many

alternative institutions rise to organize public life at the local level, provide basic services, foster

community, and guarantee people a modicum of safety, the limited extent to which these

alternative institutions have actually reconfigured power and challenged state authority has been

astonishing."[81] There is a "lack of electoral sanction to bad governance."[82] Lying at the base of

the lack of censure of governmental power abuse Englebert claims is a "realistic absence of faith in its eventual success."[83]

For example, many predict current Prime Minister Odinga and his party will take the 2012 elections. There are no indications that *compliant acquiescence* [emphasis added by author] to politics as usual has changed.[84] In fact, Englebert indicates Africans may share the universal desire for freedom, representation, and government accountability. Yet they do not actually expect them to occur on their continent. They perceive "political life is constrained by other factors that prevent sustainable full-fledged democracy."[85] Larry Diamond, a senior fellow at the Hoover Institution and at the Freeman Spogli Institute for International Studies, contends, "In a democracy, the people are sovereign, they are the highest form of political authority."[86] Kenyans do not possess, nor embrace, awareness of their sovereignty and are systemically powerless to assert their authority. More importantly, even if aware of the benefits of a democratic society, they express disenchantment with the ideal of democracy. Statistics lend credence to this position. In a survey of twelve relatively democratic African nations, there was a drop from 69 percent in 2000 to 61 percent in 2005 regarding support for democracy. The same survey showed a drop from 58 percent to 45 percent concerning satisfaction with democracy.[87]

Pierre Englebert explains the discontent with democracy, the "states of sub-Sahara Africa are failures...most of them...have not brought about or facilitated much economic or human development for their populations since independence. Often they have caused their people much havoc, misery, uncertainty, and fear."[88] The condition of Kenyans bears this truth. Dowden calls Kenyan society one of the "most unequal societies on earth."[89] He uses the juxtaposition of golf courses and country clubs just a half hour drive from "two of the worst

slums in the world" as a metaphor for the divergent prosperity of the Kenyan population.[90]

Although prominent in the region, viewed as an "economic powerhouse,"[91] and hailed as a

success story in Sub-Saharan Africa, 50 percent of the population remains poor and 40 percent

unemployed.[92] The poor remain periphery to the mechanisms and opportunities for

advancement. Further, they face seemingly insurmountable hurdles: infectious disease, scarcity

of food, slowed national economic growth, potential national upheaval, violence, and the

persistent struggle for sustenance for themselves and their families.[93]

The importation of western democracy that attempts to "popularize the idea that the

individual is more important than the group,"[94] is a misfit to the ethnically aligned Kenyan and

African traditions. Even political party composition has organized around ethnic, vice

ideological, groupings. The continuation of *compliant acquiescence* may simply be a

manifestation of disconnect between the western ideal of democracy and African reality. If left

to its own devices and cultural conditions, Kenyan political practices may not naturally gravitate

to a democratic structure, regardless of the stated benefits of democracy in advancing human

rights and civil liberties.

In applying the three components of democracy to determine if Kenya classifies as a

democratic nation, one fails to identify sufficient evidence to do so. Despite plentiful evidence

of an electoral process, the elections are faulty and rife with accusations of rampant tampering

and influence by domineering party supporters and leaders. There is little evidential proof of

open competition for political influence and public support, and analysis of the historical trends

and predictions for future election do not support the existence of active diversity. Lastly, the

people of Kenya seem to want reform, but to date, due to multiple subversive and obvious

factors, there has been insufficient opposition to bring that reform about to challenge the

standing government and its unbounded exercise of power and subversion. Recent constitutional reform and the coalition government may be signs of a burgeoning deviation from *compliant acquiescence*, but they have not enabled sufficient momentum to reform current practices.

CONCLUSION

At this point, the result is evident for the first consideration of the thesis that Kenya does

not serve as a true model for African democracy and fails to serve as a "City on a Hill" for East

Africa. Kenya is not a model for African democracy due to its failure to meet the nominal

criteria of institutional mechanisms, free competition, and government accountability. The

possibility Kenya possesses distinct characteristics, providing a model for success other East

African nations still warrants investigation.

The 2012 elections and implementation of the new constitution serve as testing ground

for a theory of burgeoning resistance to continued *compliant acquiescence*. However strong the

country's intent to move forward from the shadow of violence and civil unrest, it faces several

obstacles. A 2010 special report from the United States Institute of Peace states,

> This violence has torn apart Kenya's social fabric and generated deep trauma. It also contributed to a
> general economic downturn, reduced agricultural production, hunger, environmental degradation, stresses
> on health care systems, surges in crime, and greater insecurity...A high probability of recurrent violence
> exists, especially as elections approach in 2012, but such violence is not inevitable.[95]

David Anderson, a professor of African politics at Oxford University states it most eloquently,

"Kenya has been through the mill in recent years."[96] However, ratification of the new

constitution does mark progress toward reform. The 20-year debate over constitutional reform

ended when President Kibaki signed the new constitution into law on August 27, 2010. It has

welcomed a "mantra of cautious optimism."[97]

Murithi Mutiga, a columnist for the Kenyan *Daily Nation*, writes, "The constitution has

changed the mood of the nation [for the better]."[98] The new constitution directly affronts the

metaphorical "ethnic blood-letting"[99] which characterizes Kenya's political and social struggle.

It limits the power of the president through power distribution changes, devolves power to 47

counties,[100] implements land reform measures, expands the involvement of youth and women, modernizes the bill of rights, and establishes an elderly stipend. As implementation moves forward, Moses Wetang'ula, Kenya's former minister for Foreign Affairs, said in September 2010, "The most difficult part of how to implement it…we must make sure that we implement it by passing correct laws that give real meaning and effect to the provisions of the constitution."[101] The new constitution presents an opportunity for the country to establish valid institutional mechanisms of democracy and increases the potential for the exercise of political diversity. It further supports the emergence of representative officials, vice drawing from the pool of indoctrinated and self-aggrandizing officials now in power.

Alas, Moses Wetang'ula himself highlights Kenya's troubled journey. In October 2010, amidst a spirit of hope and optimism, Wetang'ula resigned in response to accusations of a "foreign land-sale scam."[102] John Githongo, a former government minister, implies the new constitution, "imbuing our entire population with a sense of constitutionalism and nationalism is absolutely key." However, he cautions, the "more rapid economic growth you have if it is deepening economic inequalities—if those inequalities are *ethnicized*, then *politicized*, then *militarized*, that can lead to greater volatility."[103] Nevertheless, political analyst Kwamchetsi Mokhoke believes this new constitution can overcome those haunting issues, "It's a new experiment in which we are trying to create a nation that runs on the competition of ideas and individuals rather than forcing people to coalesce around ethnicities in order to defend their interests."[104]

The reality is that East Africa needs a model. Facts reveal Kenya does not offer sufficient divergent conditions, to rise to that pose. As discussed throughout this paper, the condition of a country's population directly influences its ability to engage in the exercise of

political liberties and ideological exchange. Economic conditions of a population affect its

ability to diverge from a struggle for sustenance to the intellectual and theoretical dimension of

politics and self governance. Further, despite apparent economic Gross Domestic Product

growth among East African nations, the reality of the population condition has remained largely

unchanged.

An examination of the 2010 Human Development Index (HDI) and Multidimensional

Poverty Index (MPI) confirms the desperate situation in East Africa. Although Kenya ranks

highest among the countries of the region, Kenya, and its five contiguous nations fall in the Low

Human Development Category and hold some of the lowest positions among 169 ranked

countries. The Human Development Index is a composite of a country's average achievements

in aspects of human development: health, knowledge, and income.

Table 1
Human Development Index Data for Kenya and Its Contiguous Nations

	Rank (*out of 169*)	HDI Value	Life Expectancy at Birth	Mean Years of Schooling	Expected years of Schooling	Gross Nat'l Income per Capita	Non-Income HDI Value
Kenya	128	0.470	55.6	7.0	9.6	1,628	0.541
Uganda	143	0.422	54.1	4.7	10.4	1,224	0.491
UR Tanzania	148	0.398	56.9	5.1	5.3	1,344	0.441
Sudan	154	0.379	58.9	2.9	4.4	2,051	0.373
Ethiopia	157	0.328	56.1	1.5	8.3	992	0.357
Somalia	Unranked	No Data	50.4	No data	1.8	No data	No data

Source: United Nations Development Programme, "Human Development Reports," http://hdr.undp.org/en, (accessed December 20, 2010).

The Multidimensional Poverty Index, compiling data from 2000-2008, reveals a similar

lack of noteworthy difference between the nations. The MPI is a composite score from

dimensions of health, education, and living standards. Although Kenya again has the most

favorable MPI, it does not maintain that level of exception across the spectrum.

Table 2

Multidimensional Poverty Index Data for Kenya and Its Contiguous Nations

Data from 2000-2008	MPI Value	Population in multidimensional poverty (%)	Population with at least one severe deprivation in			Population Below Income Poverty Line	
			Education (%)	Health (%)	Living Standards (%)	Purchasing Power Parity $1.25 a day (%)	National Poverty Line (%)
Kenya	0.302	60.4	21.9	41.4	86.2	19.7	46.6
Uganda	No data	No data	No data	No data	No data	51.5	31.1
UR Tanzania	0.367	65.3	34.0	35.5	90.6	88.5	35.7
Sudan	No data	No data	No data	No data	No data	No data	No data
Ethiopia	0.582	90.0	83.9	48.2	94.2	39.0	44.2
Somalia	0.514	81.2	74.5	47.6	86.7	No data	No data

Source: United Nations Development Programme, "Human Development Reports," http://hdr.undp.org/en, (accessed December 20, 2010).

Kenya does not present significant statistical advantage among East African nations regarding the economic condition and human development of its population. Perhaps labeling Kenya a "regional linchpin" stems from its international reputation as a democracy and its strong economic sector. As discussed, Kenya maintains a façade of democracy to appease international donor governments and trade partners. However, the HDI and MDI validate the systemic denial of access to mechanisms of individual success for most Kenyans, regardless of perceived global economic reputation. In fact, as Anderson points out, growth indicators for the other nations in East Africa, Southern Sudan independence, infrastructure improvements in Tanzania and Somalia, and consistent GDP growth in the region, may indicate "Kenya is losing its grip," [105] as the regional economic hub. One struggles to foresee the future for Kenya in light of its failure as a democracy and a model for East Africa.

Anderson makes the wish, "If I had a magic wand in Kenya, I think I'd wave it at the government, and I'd transform the government into a group of civil society and self-aware individuals who are prepared to practice transparent government." [106] Recent events in the

Middle East, the grassroots groundswell and eventual transformation of Tunisian and Egyptian leadership, expose the power of unity and nationalism to challenge and topple oligarchies pawned off as democracies on the international stage. Kenyans need to uncover a mechanism to unify their ethnicized struggles into a movement of nationalism, dominated not by the individual will of government officials and leaders, but by hope and longing for true democratic representation. Utilizing this mechanism, the potential exists for Kenya to purify and stabilize their current facade democratic practices and emerge a democratic nation and the "City on a Hill" for East Africa.

For now, barring unpredictable success with constitutional implementation and the 2012 elections, Kenya remains mired in *compliant acquiescence* and status quo. However, Anderson predicts great possibilities on the horizon. "Kenya is a fantastically energetic, vibrant, innovating people waiting for the right leadership and when they get it, watch them go."[107]

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